

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:	)	
	)	
EAGLE PROPERTIES AND	)	Bankruptcy Case
INVESTMENTS, LLC,	)	No. 23-10566-KHK
	)	Chapter 7
Debtor.	)	
		)

**SUPPLEMENT TO CHAPTER 7 TRUSTEE’S MOTION TO APPROVE SALE OF  
2565 (F) AND 2567 (E) CHAIN BRIDGE ROAD, VIENNA, VA FREE AND CLEAR OF  
LIENS, CLAIMS AND INTERESTS PURSUANT TO 11 U.S.C. §§ 363(f)**

H. Jason Gold, the chapter 7 trustee (“Trustee”) for the above-captioned case, by his undersigned counsel, hereby files this supplement to his motion to approve the sale of the properties (“Motion”)<sup>1</sup> (Doc. No. 492) commonly known as 2565 (F) and 2567 (E) Chain Bridge Road, Vienna, VA (together, the “Property”) to BEKK Holdings LLC (“Buyer”) free and clear of the liens, claims and interests, including the Lis Pendens (hereafter defined) filed by Bala Jain, LLC pursuant to 11 U.S.C. §§ 363(f), in accordance with the sale contract attached to the Motion as **Exhibit A**, stating to the Court as follows:

1. Through the Motion, the Trustee seeks to sell the Property free and clear of all liens claims and interests.

2. In addition to the Lis Pendens which was attached to the Motion as Exhibit B, Bala Jain, LLC also holds a second position Deed of Trust on one of the units (2565(F)) recorded at

---

<sup>1</sup> In accordance with Local Rule 9013-1(G)(1), the Trustee is combining his memorandum of points and authorities with this Motion.

Deed Book 26891 at page 0515 on 02/16/2021. A copy of this Deed of Trust is attached as **Exhibit 1.**

3. This proposed sale is a short sale as to the first deed of trust holder Virginia Partners Bank.

4. While the Motion seeks a sale free and clear of all liens claims and interests, the Trustee files this supplement, in the abundance of caution, to provide additional notice that the sale is proposed to be free and clear of Bala Jain, LLC's Deed of Trust as to unit 2565(F).

WHEREFORE, the Trustee respectfully requests that this Court enter an order: (i) granting the Motion; (ii) authorizing the sale of the Property pursuant to the terms and conditions of the Sales Contract free and clear of the Lis Pendens and any liens, claims and interests related including the Bala Jain Deed of Trust; (iii) authorizing the Trustee to reimburse RealMarkets at closing for the expenses referenced herein; (iv) authorizing the Trustee to take all necessary and reasonable actions to consummate the sale, including paying all sales costs from the proceeds of the sale of the Property at closing; and (v) granting such other and further relief as the Court may deem just and proper.

Respectfully submitted,

H. JASON GOLD, TRUSTEE

By Counsel

NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001  
Tel: (202) 689-2800  
Fax: (202) 689-2860  
Email: [dylan.trache@nelsonmullins.com](mailto:dylan.trache@nelsonmullins.com)

By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 17th day of June 2024, the foregoing Motion was served via first class mail, postage prepaid, to the parties in interest on the attached service list<sup>2</sup> and to:

Office of the United States Trustee  
1725 Duke Street, Suite 650  
Alexandria, VA 22314

/s/ Dylan G. Trache  
Dylan G. Trache

---

<sup>2</sup> Pursuant to Local Rule 5005-1(C)(8), the attached service list is not being served on each of the parties, but is attached to the original Certificate of Service filed with the Court.